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TO RUEHC/SECSTATE WASHDC IMMEDIATE 4507
INFO RUCNASE/ASEAN MEMBER COLLECTIVE
RUEHBJ/AMEMBASSY BEIJING 0840
RUEHBY/AMEMBASSY CANBERRA 9616
RUEHKA/AMEMBASSY DHAKA 4130
RUEHLO/AMEMBASSY LONDON 1590
RUEHNE/AMEMBASSY NEW DELHI 3310
RUEHUL/AMEMBASSY SEOUL 6711
RUEHKO/AMEMBASSY TOKYO 4325
RUEHCI/AMCONSUL CALCUTTA 0719
RUEHCN/AMCONSUL CHENGDU 0720
RUDKIA/AMCONSUL CHIANG MAI 0365
RHHMUNA/CDR USPACOM HONOLULU HI
RUEHGV/USMISSION GENEVA 2653
RHEHNSC/NSC WASHDC
RUCNDT/USMISSION USUN NEW YORK 0298
RUEKJCS/SECDEF WASHDC
RUEHBS/USEU BRUSSELS
RUEKJCS/JOINT STAFF WASHDC

C O N F I D E N T I A L SECTION 01 OF 03 RANGOON 000603

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STATE FOR EAP/MLS/PRM; PACOM FOR FPA

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TAGS: [PREF](#) [PGOV](#) [PHUM](#) [PINS](#) [PREL](#) [BM](#)

SUBJECT: GOB GRANTS UNHCR RENEWED ACCESS TO KAREN STATE

REF: RANGOON 521

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Classified By: Vice Consul Walter Parrs III for Reasons 1.4 (b, d)

11. (SBU) Summary: On April 27, UNHCR signed an MOU with the Ministry of Border Areas reinstating access to southeast Burma, including Karen State. UNHCR's country representative, baffled but grateful for the GOB's reversal of UNHCR access, said that his agency plans to establish a field presence in Mon State, from which it will send mobile teams into Karen State. The MOU addressed IDPs, a sensitive issue for the GOB, allowing UNHCR to assist "IDP-affected areas." UNHCR's access to IDPs is opportune, given that the GOB recently restricted the ICRC from operating in areas of recent conflict between the Burmese Army and the KNU. UNHCR's country rep conveyed concern that budget constraints may limit UNHCR's ability to take full advantage of the increased access. End Summary.

12. (C) During a May 3 call on the Charge, UNHCR Country Representative Jean-Francois Durieux confirmed that he had signed an MOU with the Ministry of Progress for Border Areas and National Races and Development Affairs (Ministry of Border Areas) on April 27 providing "legal coverage" to recommence operations to southeast Burma, including Karen State. UNHCR expanded its Burma operations to the region in 2004, but in August 2005 the Ministry of Home Affairs curtailed the refugee agency's access. UNHCR has since maintained a barely visible presence in Karen State, mostly through occasional mobile assessment teams staffed with local employees. The current MOU is the result of six months of negotiation with the Ministry of Border Areas.

13. (C) Essentially, Home Affairs refused to work with UNHCR and said it must find a new ministry to sponsor its operations. Initially, Mr. Durieux was reluctant to work with the Ministry of Border Areas because of their complicity

in forced relocations and setting up "model villages" of ethnic Burmans in ethnic minority areas. Mr. Durieux described negotiations with the Ministry on the MOU as "minimal and cordial." The Ministry of Border Areas accepted the final document with few changes.

14. (C) The proposed new regulations giving the Ministry of Planning the lead never came up. The most substantial negotiation point was on language referring to IDP assistance. The MOU's stated objective of "protecting IDPs" was changed to "assisting IDP-affected areas in Karen State."

Durieux does not believe the changed language significantly affects his mandate, including the ability to work with other INGO implementing partners. He expressed relief that the final document does specifically reference IDPs, a sensitive issue for the GOB. He also noted that the Ministry did not seek to channel assistance through it.

Opportune Access to IDPs

15. (C) Although the actual scope of UNHCR's renewed access to Karen State remains to be seen, the ability to again work with IDP's in the region is timely. Renewed conflict between Burmese Army and Karen National Union (KNU) units in the northern part of the state has created new refugee and IDP populations (reftel). On May 3, ICRC country director Patrick Vial told the Charge that the GOB, for the past month, has restricted his organization from access to the areas affected by the latest conflict, along with its access elsewhere.

16. (C) Vial assessed that the conflict in the north of Karen State is "a regular GOB dry season push against the KNU, and certainly not a major offensive." He acknowledged, however, that the violence was more intense than it has been in

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several years and had created a troubling humanitarian situation. He characterized the GOB's military strategy as a "post-Khin Nyunt" exertion of power, designed to isolate a particularly resistant KNU battalion and protect the corridor from the new capital to the Thai border. UNHCR's Durieux plans to travel to the Thai side of the border within the next week to assess the scope of new refugee arrivals and the reasons for their flight from Burma.

Cautious First Steps

17. (C) Mr. Durieux plans to resume UNHCR activities in southeast Burma cautiously. For the immediate future, he envisions a logistic base in Moulmein, Mon State, shared with UNICEF, for regular trips to IDP-affected areas in Karen State. The reduced presence supports his firm message to the GOB that the UNHCR does not believe it is time yet for repatriation of refugees from Thailand. While the organization does have permission to staff an expatriate field coordinator inside Karen State, all expat staff will be based in Rangoon. Durieux plans to conduct a joint survey of Karen State in a couple of months with the Director General of the Ministry of Border Areas.

18. (C) The signing of the MOU is a peak in UNHCR's rollercoaster ride through southeast Burma. Active in Northern Rakhine State (NRS) since 1994, UNHCR expanded in 2004 to Karen State with the verbal permission of now ousted Prime Minister Khin Nyunt. A subsequent exchange of letters provided limited formality to UNHCR's access to the southeast. UNHCR continued operations after Khin Nyunt's removal, with non-Burmese staff regularly traveling to the region. The brakes slammed in August 2005 when the Minister of Home Affairs refused to grant UNHCR further access and accused Durieux of operating illegally. When Durieux referenced the letters exchanged with Khin Nyunt in defense, the Minister coldly replied, "Those letters never existed." Since then, the UNHCR has virtually ceased its operations in the southeast.

UNHCR Baffled but Grateful

¶9. (C) Durieux admitted the sudden approval of the MOU was "mysterious." He suggested that the MOU signing may be part of a turf war with the Ministry of Border Areas seeking to prove that it is a player. He offered another theory that the Ministry is using the UNHCR as a "Trojan horse" as it, too, wants more direct involvement in the southeast since the military has effectively kept everyone out. Regardless of the reason, Mr. Durieux said the Ministry's willingness to work with the UNHCR reinforced his belief that non-militarized ministries such as Education, Health, and Infrastructure increasingly view Burma's situation with realism, while the military remains befuddled with "disillusionment."

¶10. (SBU) Mr. Durieux expressed concern to the Charge that UNHCR's renewed responsibilities in southeast Burma and rising local operating costs will overstrain the UNHCR's budget for 2006. Its current budget will run out within six months, Mr. Durieux said. On April 25, Mr. Durieux delivered a letter to the Charge expressing gratitude for the United States' earmarked financial contribution in 2005, and appealing for funding of its expanded 2006 operations.

Comment: Rationale and Reality

¶11. (C) The UNHCR's recent experience is a case study in the contradictions of working with the GOB. The Ministry of Immigration sponsors its operations in northern Rakhine State, while the Ministry of Home Affairs initially controlled, and subsequently revoked, authorization for its

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operations in the east. Now, a third ministry has secured its access to Karen State. Ultimately, no international organization should feel it has any security; everything can change on a whim. Certainly the Ministry of Border Areas does not have the clout of the military.

¶12. (C) The timing of the MOU seems odd in light of increased military action against the Karen. We doubt UNHCR will have to access to any of the areas currently in conflict. Nevertheless, it does offer a closer vantage point to observe both the military and the sizable numbers of IDPs in the region. We will see if UNHCR is able to offer any protection to these people. END COMMENT.
VILLAROSA